

FORM PTO-1390 (Modified) U.S. PATENT AND TRADEMARK OFFICE; U.S. DEPARTMENT OF COMMERCE
(REV. 07-2004)

ATTORNEY'S DOCKET NUMBER

TRANSMITTAL LETTER TO THE UNITED STATES
DESIGNATED/ELECTED OFFICE (DO/EO/US)
CONCERNING A SUBMISSION UNDER 35 U.S.C. 371

112857-414

U.S. APPLICATION NO. (If known, see 37 CFR 1.5)

10/520427

INTERNATIONAL APPLICATION NO.
PCT/JP2003/007971INTERNATIONAL FILING DATE
24 June 2003PRIORITY DATE CLAIMED
04 July 2002

TITLE OF INVENTION

CACHE DEVICE, AND METHOD AND COMPUTER PROGRAM FOR CONTROLLING CACHED DATA

APPLICANT(S) FOR DO/EO/US

Tsutomu Miyauchi

Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:

1. ☒ This is a **FIRST** submission of items concerning a submission under 35 U.S.C. 371.
2. ☐ This is a **SECOND** or **SUBSEQUENT** submission of items concerning a submission under 35 U.S.C. 371.
3. ☐ This is an express request to begin national examination procedures (35 U.S.C. 371(f)). The submission must include items (5), (6), (9) and (24) indicated below.
4. ☐ The US has been elected (Article 31).
5. ☒ A copy of the International Application as filed (35 U.S.C. 371 (c) (2))
 - a. ☒ is attached hereto (required only if not communicated by the International Bureau).
 - b. ☐ has been communicated by the International Bureau.
 - c. ☐ is not required, as the application was filed in the United States Receiving Office (RO/US).
6. ☒ An English language translation of the International Application as filed (35 U.S.C. 371(c)(2)).
 - a. ☒ is attached hereto.
 - b. ☐ has been previously submitted under 35 U.S.C. 154(d)(4).
7. ☒ Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371 (c)(3))
 - a. ☐ are attached hereto (required only if not communicated by the International Bureau).
 - b. ☐ have been communicated by the International Bureau.
 - c. ☐ have not been made; however, the time limit for making such amendments has NOT expired.
 - d. ☒ have not been made and will not be made.
8. ☐ An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)).
9. ☒ An oath or declaration of the inventor(s) (35 U.S.C. 371 (c)(4)).
10. ☐ An English language translation of the annexes to the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371 (c)(5)).
11. ☐ A copy of the International Preliminary Examination Report (PCT/IPEA/409).
12. ☒ A copy of the International Search Report (PCT/ISA/210).

Items 13 to 23 below concern document(s) or information included:

13. ☒ An Information Disclosure Statement under 37 CFR 1.97 and 1.98.
14. ☐ An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.
15. ☒ A **FIRST** preliminary amendment.
16. ☐ A **SECOND** or **SUBSEQUENT** preliminary amendment.
17. ☒ A substitute specification.
18. ☐ A power of attorney and/or change of address letter.
19. ☐ A computer-readable form of the sequence listing in accordance with PCT Rule 13ter.2 and 37 CFR 1.821 - 1.825.
20. ☐ A second copy of the published International Application under 35 U.S.C. 154(d)(4).
21. ☐ A second copy of the English language translation of the International Application under 35 U.S.C. 154(d)(4).
22. ☒ Express Mail Label No. EV 351265742 US
23. ☐ Other items or information:

U.S. APPLICATION NO. (if known, see 37 CFR 1.5) 10/520427		INTERNATIONAL APPLICATION NO. PCT/JP2003/007971		ATTORNEY'S DOCKET NUMBER 112857-414	
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24. The following fees are submitted: BASIC NATIONAL FEE (37 CFR 1.492(a)(1)-(5)): <input checked="" type="checkbox"/> Basic National Stage \$ 300.00 <input checked="" type="checkbox"/> National Stage Search Fee 500.00 <input checked="" type="checkbox"/> National Stage Examination Fee 200.00 <input type="checkbox"/> <input type="checkbox"/>				CALCULATIONS PTO USE ONLY 	
ENTER APPROPRIATE BASIC FEE AMOUNT =				1,000.00	
Surcharge of \$130.00 for furnishing the oath or declaration later than <input type="checkbox"/> 20 <input type="checkbox"/> 30 months from the earliest claimed priority date (37 CFR 1.492(e)).					
CLAIMS	NUMBER FILED	NUMBER EXTRA	RATE		
Total claims	15 - 20 =	0	x 50.00		
Independent claims	3 - 3 =	0	x 200.00		
Multiple Dependent Claims (check if applicable).				<input type="checkbox"/>	
TOTAL OF ABOVE CALCULATIONS =				1,000.00	
<input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27. The fees indicated above are reduced by 1/2.					
SUBTOTAL =				1,000.00	
Processing fee of \$130.00 for furnishing the English translation later than <input type="checkbox"/> 20 <input type="checkbox"/> 30 months from the earliest claimed priority date (37 CFR 1.492(f)).				+	
TOTAL NATIONAL FEE =				1,000.00	
Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31) (check if applicable).				<input type="checkbox"/>	
TOTAL FEES ENCLOSED =				1,000.00	
				Amount to be:	
				refunded	
				charged	
				\$	
				\$	

a. ☒ A check in the amount of **\$1,000.00** to cover the above fees is enclosed.

b. ☐ Please charge my Deposit Account No. _____ in the amount of _____ to cover the above fees.

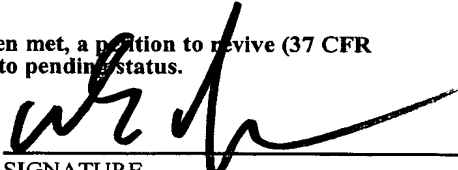
c. ☒ The Director is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. **02-1818**

d. ☐ Fees are to be charged to a credit card. **WARNING:** Information on this form may become public. **Credit card information should not be included on this form.** Provide credit card information and authorization on PTO-2038.

NOTE: Where an appropriate time limit under 37 CFR 1.494 or 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed and granted to restore the International Application to pending status.

SEND ALL CORRESPONDENCE TO:

William E. Vaughan (Reg. No. 39,056)
Bell Boyd & Lloyd LLC
P.O. Box 1135
Chicago, Illinois 60690
312.807.4292


 SIGNATURE
William E. Vaughan
 NAME
39,056
 REGISTRATION NUMBER
January 4, 2005
 DATE

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s): Tsutomu Miyauchi
 Appl. No.: PCT/JP2003/007971
 Title: CACHE DEVICE, AND METHOD AND COMPUTER PROGRAM FOR
 CONTROLLING CACHED DATA
 Docket No.: 112857-414

Mail Stop PCT
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

CERTIFICATE OF MAILING BY EXPRESS MAIL UNDER 37 CFR 1.10

Sir:

I hereby certify that the following documents relating to the above-identified application:

1. Transmittal Letter (duplicate);
2. International application as originally filed on 74 pages;
3. English translation on 97 pages;
4. unexecuted declaration and power of attorney on 3 pages;
5. Preliminary Amendment on 93 pages;
6. IDS on 1 page, PTO 1449 on 1 page, search report, references;
7. Check in the Amount of \$1,000.00; and
8. Return Receipt Postcard.

are being deposited with the United States Postal Service with sufficient postage as

Express Mail in an envelope addressed to:

Mail Stop PCT
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

on January 4, 2005.

Respectfully submitted,

BELL, BOYD & LLOYD LLC

Heather Foster

Name of Person Mailing Correspondence

Signature _____

Signature

EV 351265742 US

Express Mail Mailing Label Number